

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
First Regular Session  
2007

# **HOUSE BILL 2381**

AN ACT

AMENDING SECTIONS 15-308 AND 15-465, ARIZONA REVISED STATUTES; RELATING TO ACCOMMODATION SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 15-308, Arizona Revised Statutes, is amended to  
3 read:

4           15-308. Providing educational services of an accommodation  
5           school: county school board

6       A. The county school superintendent may provide educational services  
7 of an accommodation school to the school districts in the county using the  
8 facilities of the accommodation school. **SUBJECT TO SUBSECTION D OF THIS**  
**SECTION**, the county school superintendent shall administer the program and  
10 shall develop a fiscal year budget according to the process specified for  
11 school districts.

12     B. A county may offer educational services to homeless children or  
13 alternative education programs as defined in section 15-796 through an  
14 accommodation school.

15     C. ~~Until January 1, 2010,~~ The county board of supervisors ~~shall not~~  
16 **MAY** provide ~~for necessary expenses~~ COUNTY FINANCIAL ASSISTANCE pursuant to  
17 section 15-1001, subsection A, ~~paragraph 5~~ FOR NEW OR EXISTING ACCOMMODATION  
18 SCHOOLS ~~without~~ THROUGH an intergovernmental agreement with the county school  
19 superintendent which shall set forth the county's responsibility, if any, for  
20 financial contributions to the accommodation school budget, any conditions  
21 related to the expenditures and any financial reporting required of the  
22 county school superintendent. **IF THE COUNTY SCHOOL SUPERINTENDENT WISHES TO**  
23 **RECEIVE FUNDING FROM THE COUNTY BOARD OF SUPERVISORS**, the county school  
24 superintendent shall provide a report to the county board of supervisors by  
25 April 1 of each year, on the county school superintendent's plans for the  
26 provision of accommodation school services for the next school year and the  
27 projected number of students at each accommodation school in the district.  
28 By June 1 of each year, the county school superintendent shall provide the  
29 county board of supervisors with estimated revenues from the state and other  
30 financial information the county board of supervisors may request.

31     D. THE COUNTY BOARD OF SUPERVISORS SHALL ESTABLISH AN ACCOMMODATION  
32 SCHOOL BOARD TO MANAGE AND OPERATE ACCOMMODATION SCHOOLS. AN ACCOMMODATION  
33 SCHOOL BOARD SHALL CONSIST OF FIVE MEMBERS. THE COUNTY BOARD OF SUPERVISORS  
34 SHALL EITHER APPOINT THE MEMBERS OF THE ACCOMMODATION SCHOOL BOARD OR ADOPT A  
35 RESOLUTION TO CONDUCT AN ELECTION IN WHICH THE QUALIFIED ELECTORS OF THE  
36 COUNTY ELECT THE MEMBERS OF THE ACCOMMODATION SCHOOL BOARD. ELECTED MEMBERS  
37 OF AN ACCOMMODATION SCHOOL BOARD SHALL SERVE FOUR-YEAR TERMS. APPOINTED  
38 MEMBERS OF AN ACCOMMODATION SCHOOL BOARD SHALL SERVE TERMS COMMENSURATE WITH  
39 THE COUNTY SCHOOL SUPERINTENDENT'S TERM. APPOINTMENT TO FILL A VACANCY  
40 CAUSED BY OTHER THAN EXPIRATION OF TERM SHALL BE FILLED BY THE REMAINING  
41 BOARD MEMBERS FOR THE UNEXPIRED PORTION OF THE TERM. ELECTED OR APPOINTED  
42 MEMBERS OF AN ACCOMMODATION SCHOOL BOARD SHALL BE SELECTED FROM AMONG THE  
43 QUALIFIED ELECTORS OF THE COUNTY. AN ACCOMMODATION SCHOOL BOARD SHALL HAVE  
44 ALL OF THE POWERS AND DUTIES OF SCHOOL DISTRICT GOVERNING BOARDS, EXCEPT THAT

1 AN ACCOMMODATION SCHOOL BOARD SHALL NOT ISSUE DEBT OR LEVY TAXES. APPOINTED  
2 MEMBERS OF AN ACCOMMODATION SCHOOL BOARD SHALL BE APPOINTED AS FOLLOWS:

3       1. TWO MEMBERS WHO ARE APPOINTED BY THE COUNTY SCHOOL SUPERINTENDENT,  
4 ONE OF WHOM IS A CURRENT OR FORMER SCHOOL TEACHER, SCHOOL PRINCIPAL, SCHOOL  
5 DISTRICT SUPERINTENDENT OR SCHOOL DISTRICT GOVERNING BOARD MEMBER AND ONE OF  
6 WHOM HAS SUBSTANTIAL EXPERIENCE IN PUBLIC OR BUSINESS ADMINISTRATION.

7       2. TWO MEMBERS WHO ARE APPOINTED BY THE COUNTY BOARD OF SUPERVISORS,  
8 ONE OF WHOM IS A CURRENT OR FORMER SCHOOL TEACHER, SCHOOL PRINCIPAL, SCHOOL  
9 DISTRICT SUPERINTENDENT OR SCHOOL DISTRICT GOVERNING BOARD MEMBER AND ONE OF  
10 WHOM HAS SUBSTANTIAL EXPERIENCE IN PUBLIC OR BUSINESS ADMINISTRATION.

11       3. ONE MEMBER WHO IS SELECTED BY A VOTE OF THE MEMBERS OF THE  
12 ACCOMMODATION SCHOOL BOARD THAT ARE APPOINTED PURSUANT TO PARAGRAPHS 1 AND 2.  
13 THE MEMBER APPOINTED PURSUANT TO THIS PARAGRAPH SHALL BE SELECTED WITHIN  
14 THIRTY DAYS AFTER THE APPOINTMENT OF THE FOURTH MEMBER APPOINTED PURSUANT TO  
15 PARAGRAPHS 1 AND 2.

16       E. NOTWITHSTANDING ANY OTHER LAW, AN ACCOMMODATION SCHOOL IS AN  
17 INDEPENDENT GOVERNMENTAL ENTITY THAT IS NOT PART OF COUNTY GOVERNMENT.

18 Sec. 2. Section 15-465, Arizona Revised Statutes, is amended to read:  
19       15-465. Accommodation school; establishment on military  
20                   reservation; expenses; abandonment; military  
21                   reservation accommodation school board

22       A. Upon the withdrawal of a military reservation from any common  
23 school district or high school district, as provided in section 15-464, and  
24 upon a showing by the military authorities that necessary buildings and  
25 facilities for the operation of a school are available, the county school  
26 superintendent shall establish an accommodation school on the military  
27 reservation.

28       B. Expenses of conducting the school shall be paid out of the county  
29 school reserve fund by the county school superintendent, as the expenses of  
30 other accommodation schools are paid.

31       C. If a military reservation is abandoned in which an accommodation  
32 school has been conducted in accordance with ~~the provisions of~~ this section  
33 and sections 15-464 and 15-466, the boundaries of the common school district  
34 or the high school district, as they existed ~~prior to~~ BEFORE withdrawal of  
35 the reservation from the school district, shall be deemed automatically  
36 reinstated.

37       D. NOTWITHSTANDING SECTION 15-308, A MILITARY RESERVATION  
38 ACCOMMODATION SCHOOL BOARD SHALL ADMINISTER EACH ACCOMMODATION SCHOOL ON A  
39 MILITARY RESERVATION. MEMBERS OF THE MILITARY RESERVATION ACCOMMODATION  
40 SCHOOL BOARD SHALL SERVE FOUR YEAR TERMS. APPOINTMENT TO FILL A VACANCY  
41 CAUSED BY OTHER THAN EXPIRATION OF TERM SHALL BE FOR THE UNEXPIRED PORTION OF  
42 THE TERM. MEMBERS OF THE MILITARY RESERVATION ACCOMMODATION SCHOOL BOARD  
43 SHALL EITHER BE EMPLOYED ON THAT MILITARY RESERVATION OR RESIDE ON THAT  
44 MILITARY RESERVATION. THE MILITARY RESERVATION ACCOMMODATION SCHOOL BOARD

1 SHALL HAVE ALL OF THE POWERS AND DUTIES OF SCHOOL DISTRICT GOVERNING BOARDS,  
2 EXCEPT THAT A MILITARY RESERVATION ACCOMMODATION SCHOOL BOARD SHALL NOT ISSUE  
3 DEBT OR LEVY TAXES. MEMBERS OF A MILITARY RESERVATION ACCOMMODATION SCHOOL  
4 BOARD SHALL BE APPOINTED AS FOLLOWS:

5       1. TWO MEMBERS WHO ARE APPOINTED BY THE COUNTY SCHOOL SUPERINTENDENT.  
6       2. TWO MEMBERS WHO ARE APPOINTED BY THE COMMANDING OFFICER OF THE  
7 MILITARY RESERVATION WHERE THE ACCOMMODATION SCHOOL IS LOCATED.

8       3. ONE MEMBER WHO IS SELECTED BY A VOTE OF THE MEMBERS OF THE MILITARY  
9 RESERVATION ACCOMMODATION SCHOOL BOARD THAT ARE APPOINTED PURSUANT TO  
10 PARAGRAPHS 1 AND 2. THE MEMBER APPOINTED PURSUANT TO THIS PARAGRAPH SHALL BE  
11 SELECTED WITHIN THIRTY DAYS AFTER THE APPOINTMENT OF THE FOURTH MEMBER  
12 APPOINTED PURSUANT TO PARAGRAPHS 1 AND 2.